

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

ALLIANCE FOR HIPPOCRATIC MEDICINE, §
et al., §
§
§

Plaintiffs, §
§
§

v. §
§
§

Case No. 2:22-cv-00223-Z

U.S. FOOD AND DRUG ADMINISTRATION, §
et al., §
§
§

Defendants. §
§

**APPENDIX IN SUPPORT OF PROPOSED INTERVENOR
DANCO LABORATORIES, LLC 'S OPPOSITION TO PLAINTIFFS'
MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to Local Rule 7.1(i), Proposed Intervenor Danco Laboratories, LLC files this Appendix in support of its Opposition to Plaintiffs' Motion for Preliminary Injunction.

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Dated: January 13, 2023

Respectfully submitted,

/s/ Ryan Patrick Brown
RYAN BROWN ATTORNEY AT LAW
Texas Bar No. 24073967
ryan@ryanbrownattorneyatlaw.com
1222 S. Fillmore Street
Amarillo, Texas 79101
Tel: (806) 372-5711

Jessica L. Ellsworth*
Catherine E. Stetson*
Philip Katz*
Lynn W. Mehler*
Kaitlyn A. Golden*
Marlan Golden*
HOGAN LOVELLS US LLP
555 Thirteenth Street, NW
Washington, D.C. 20004
Tel: (202) 637-5600
jessica.ellsworth@hoganlovells.com

**pro hac vice forthcoming*

Counsel for Danco Laboratories, LLC

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DECLARATION OF ABIGAIL LONG

I, Abigail Long, declare under penalty of perjury as follows:

1. I am an employee of Danco Laboratories, LLC. Based on my position as Director of Marketing and Public Affairs at Danco, I have personal knowledge of the matters herein.
2. Danco is a small, privately held pharmaceutical company that holds the New Drug Application (NDA) for Mifeprex. As the sponsor of the NDA for Mifeprex, Danco has the right under the Federal Food, Drug, and Cosmetic Act to market and distribute Mifeprex. Danco holds no other NDAs and does not do any other business other than marketing and distributing Mifeprex.
3. Danco has held the NDA and been responsible for the distribution of Mifeprex in the United States for over 20 years.
4. If this Court issues a preliminary injunction withdrawing the FDA approval of Mifeprex, Danco would no longer be able to distribute Mifeprex.
5. Because Danco has only a single pharmaceutical product, any action that prevents Danco from distributing its product would result in the effective closure of our business. Danco

would no longer have the ability to market its sole product and would no longer be generating any revenue.

6. If the approval of Mifeprex was withdrawn, the suppliers, manufacturers, distributors and pharmacies associated with Mifeprex will also be negatively impacted by the loss of business.

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

A handwritten signature in blue ink, appearing to read "A. J. S.", is positioned above a horizontal line.

Dated: January 13, 2023
